

Petition12C – Rev. 6/18

UNITED STATES DISTRICT COURT
for
Arizona
Petition for Warrant

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Sep 29 2020	
CLERK U.S. DISTRICT COURT DISTRICT OF ARIZONA	

Name of Offender: **Jaime Avila, Jr.** Case No.: **CR-11-00126-001-PHX-JAT**

Name of Judicial Officer: **The Honorable James A. Teilborg**
Senior United States District Judge

T-SEALED

Date of Original Sentence: **12/12/2012**

Original Offense: **Count 1: Conspiracy, in violation of 18 U.S.C. § 371, a Class D Felony**
Count 2: Dealing in Firearms Without a License and Aid and Abet, in violation of 18 U.S.C. §§ 922(a)(1)(A) and 924(a)(1)(D), a Class C Felony

Original Sentence: **57 months Bureau of Prisons (each count concurrent), 36 months supervised release (each count concurrent)**
[08/18/2017: Supervised release revoked, three months BOP, 33 months supervised release, concurrent Ct.1 and Ct. 2]
[04/04/2019: Supervised release revoked, six months BOP, 27 months supervised release, concurrent Ct. 1 and Ct. 2]

Type of Supervision: **Supervised Release** Date Supervision Commenced: **8/30/2019**
Date Supervision Expires: **11/29/2021**

Assistant U.S. Attorney: **W Mark Conover** Defense Attorney: **Jazmin Jhovana Alagha**
619-546-6763 **480-744-5823**

Petitioning the Court to issue a Warrant.

The probation officer alleges Jaime Avila, Jr. has violated the following condition(s) of supervision:

Allegation **Nature of Noncompliance**

A **Mandatory Condition #3** which states, You must refrain from any unlawful use of a controlled substance. The use or possession of marijuana, even with a physician's certification, is not permitted. Unless suspended by the Court, you must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

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RE: Jaime Avila, Jr.
Petition to Revoke

1) Avila, Jr. used a controlled substance, to wit: Methamphetamine. Specifically, on November 19, 2019, Avila submitted a positive urinalysis test and subsequently admitted to using methamphetamine. Available evidence includes a signed drug admission and the probation officer's testimony. Grade C violation. §7B1.1(a)(3)

2) Avila, Jr. used a controlled substance, to wit: Methamphetamine. Specifically, on February 24, 2020, Avila submitted a positive urinalysis test and subsequently admitted to using methamphetamine. Available evidence includes a signed drug admission and the probation officer's testimony. Grade C violation. §7B1.1(a)(3)

B **Standard Condition #5** which states, You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.

1) Avila, Jr. failed to abide by residence change notification requirements. Specifically, on or about July 2, 2020, Avila was discharged from the sober living home where he resided and he failed to notify the probation officer within 72 hours of the residence change. Grade C violation. §7B1.1(a)(3)

2) Avila, Jr. failed to abide by residence change notification requirements. Specifically, on or about August 23, 2020, Avila was discharged from the sober living home where he resided and he failed to notify the probation officer within 72 hours of the residence change. Grade C violation. §7B1.1(a)(3)

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Petition to Revoke

U.S. Probation Officer Recommendation and Justification

Jaime Avila, Jr. has violated the trust of the Court. A warrant is recommended as Jaime Avila, Jr. is a flight risk based on a prior instance of absconding from supervised release and the multiple unauthorized residence changes.

I declare under penalty of law that the foregoing is true and correct to the best of my knowledge:



9/25/2020

Date

Donald Rogan
U.S. Probation Officer
Office: 602-682-4382
Cell: 602-501-0493



9/25/2020

Date

Donna Salazar
Supervisory U.S. Probation Officer
Office: 602-322-7455
Cell: 520-631-5135

The Court Orders

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- Other

2020MAY29AM10:30
PCN 52920AM10:30
ZP 2020MAY29AM10:30



September 29, 2020

Date

The Honorable James A. Teilborg
Senior United States District Judge